

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH  
CENTRAL DIVISION

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USA TALKS.COM INC., a Nevada  
corporation,

Plaintiff,

vs.

MARK MOSKOWITZ, *et al.*,

Defendants.

ORDER TO SHOW CAUSE and  
MEMORANDUM DECISION

Case No. 2:11-CV-4 CW

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“To ensure its Article III power is exercised properly, a federal court must, ‘in every case and at every stage of the proceeding, satisfy itself as to its own jurisdiction.’” *Mires v. United States*, 466 F.3d 1208, 1211 (10th Cir. 2006) (citation omitted). In this case, Defendants Nathan Drage and Adrian Wilson purport to remove this action pursuant to 28 U.S.C. § 1332, which requires that the parties be citizens of different states and that the amount in controversy exceed \$75,000. The notice of removal is, however, insufficient on its face. Specifically, while the notice asserts that there is complete diversity of citizenship between Plaintiff and Defendants, the notice does not allege a citizenship for any party.

Accordingly, the Defendants attempting to remove this action are hereby ORDERED to show cause why this case should not be remanded to state court. The relevant Defendants’ response, including any motion to amend the notice of removal, is due by January 18, 2011. Any

subsequent briefing, if such is called for and desired by the parties, shall follow the normal course under the federal rules.

**ORDER**

SO ORDERED this 6th day of January, 2011.

BY THE COURT:



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Clark Waddoups  
United States District Judge